

ECONOMIC DEVELOPMENT AUTHORITY[261]

Adopted and Filed

Pursuant to the authority of 2011 Iowa Acts, House File 590, section 7, the Economic Development Authority hereby amends Chapter 104, “Targeted Industries Internship Program,” and Chapter 175, “Application Review and Approval Procedures,” Iowa Administrative Code.

The current rules allow the Economic Development Authority Board to take final action on applications and other activities funded through the Iowa Values Fund, the High Quality Jobs Program and the Enterprise Zone Program.

The amendments adjust the Board approval process by allowing the Director to approve contract amendments for the Targeted Industries Internship Program. Additionally, the amendments delete a reference to the HOME Program, which was transferred to the Iowa Finance Authority pursuant to action by the Governor.

Notice of Intended Action was published in the Iowa Administrative Bulletin on July 13, 2011, as **ARC 9617B**. The Authority held a public hearing on August 2, 2011. The Authority received no comments. The only changes from the Notice are to reflect the change in name from “Iowa Department of Economic Development” to “Economic Development Authority” and to clarify that “Board” refers to the Economic Development Authority Board.

The Governor’s office precleared the amendments on May 13, 2011.

The Economic Development Authority Board adopted the amendments on August 18, 2011.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement 2011 Iowa Acts, House File 590.

These amendments will become effective October 26, 2011.

The following amendments are adopted.

ITEM 1. Amend rule **261—104.3(15)**, definition of “Board,” as follows:

“*Board*” means the ~~Iowa~~ economic development authority board established in ~~Iowa Code section 15.103~~ 2011 Iowa Acts, House File 590, section 3.

ITEM 2. Rescind the definition of “Department” in rule **261—104.3(15)**.

ITEM 3. Adopt the following new definition of “Director” in rule **261—104.3(15)**:

“*Director*” means the director of the economic development authority.

ITEM 4. Strike “department” wherever it appears in subrule **104.4(3)**, rule **261—104.7(15)**, subrule **104.9(2)**, and rules **261—104.10(15)**, **261—104.11(15)** and **261—104.13(15)** and insert “authority” in lieu thereof.

ITEM 5. Amend subrule 104.9(1) as follows:

104.9(1) The ~~department~~ authority shall develop a standardized application and make the application available to eligible businesses. To apply for moneys from the program, a business shall submit an application to the ~~department~~ authority. Applications must be submitted to the ~~Iowa Department of Economic Development Authority~~, Innovation and Commercialization Division, 200 East Grand Avenue, Des Moines, Iowa 50309. Required forms and instructions are available at this address or at the ~~department’s~~ authority’s Web site at www.iowalifechanging.com.

ITEM 6. Adopt the following new subrule 104.13(4):

104.13(4) *Contract amendments*. The board does not need to approve a contract amendment. The director may approve contract amendments consistent with 2011 Iowa Acts, House File 590, section 9.

ITEM 7. Strike “department” and “department’s” wherever they appear in rule **261—175.2(15,83GA,SF344)**, catchwords, subrules **175.2(1)**, **175.2(4)** and **175.2(6)**, and rules

261—175.3(15,83GA,SF344) to **261—175.5(15,15G,83GA,SF344)** and insert “authority” and “authority’s,” respectively, in lieu thereof.

ITEM 8. Amend subrule 175.2(5) as follows:

175.2(5) *Federal programs.* The ~~department~~ authority administers federal programs including, but not limited to, ~~the HOME program and the CDBG program.~~ EDSA is the job creation component of the CDBG program. The ~~department~~ authority will review an application to ensure that the project meets the requirements for the programs through which an applicant is applying.

ITEM 9. Amend paragraph **175.4(4)“a,”** introductory paragraph, as follows:

a. Approval. Application approval procedures shall comply with statutory requirements for the program or funding source and applicable program rules. The board shall take final action on all applications or activities funded through IVF(2009), HQJP, EZ and other programs as described in the following paragraphs. The director may approve contract amendments for the targeted industries internship program consistent with 2011 Iowa Acts, House File 590, section 9. The director shall take action on all other applications or activities that are not identified as requiring board action. Paragraphs 175.4(4)“b” to “e” describe the review and approval processes, by funding source and program.

[Filed 8/31/11, effective 10/26/11]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 9/21/11.